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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:- 06.02.2006

Coram:-

The Hon'ble Mr. Justice P.SATHASIVAM
and
The Hon'ble Mr. Justice J.A.K.SAMPATHKUMAR

Habeas Corpus Petition No.97 of 2006

Manimekalai ... Petitioner

vs.

1. The Superintendent of Police,
Namakkal District,
Namakkal.

2. The Inspector of Police,
All women Police Station,
Tiruchengode,
Namakkal District.

3. T.A.Radhakrishnan
4. A.Gopalakrishnan
5. A.Mohanasundaram
6. N.Palaniappan ... Respondents

Petition under Article 226 of the Constitution of India for the issuance of a writ of habeas corpus directing the respondents to produce the body of the detenu by name Anandhakrishnan @ Babu from the illegal custody of respondents-3 to 6 before this Court and set him at liberty.

For Petitioner : Mr.N.Manokaran

For R-1 & R-2 : Mr.M.K.Subramanian,
Govt. Advocate (Crl. Side)

For R-3 to R-6 : Mr.Selvaraju

O R D E R

(Order of the Court was made by P.SATHASIVAM, J.)

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Pursuant to the direction of this Court, the detenu by name Anandhakrishnan @ Babu appeared before us.

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2. It is the case of the petitioner that she married detenu Anandhakrishnan on 30.11.2004 by exchange of garlands and in the presence of well-wishers. This has been stoutly denied by the third respondent herein, who is none else than the father of the detenu.

3. On our enquiry, detenu Anandhakrishnan, who is a Computer Engineer, aged about 28 years, specifically stated that he has nothing to do with the petitioner and that no such marriage had taken place as claimed by her. He further informed that, on the other hand, on 25.01.2006, he married one P.Nithya, Daughter of Palaniappan, at Shri Arupadai Murugan Sannathi, Kondappanaickenpatti, Salem-8. He also informed this Court that subsequent to the marriage, the same has been registered with the Marriage Registrar, Salem West, on 30.01.2006. He produced a copy of the Marriage Registration Certificate in support of his stand.

4. Considering the fact that the detenu is a Computer Engineer, aged about 28 years, and the assertion made by him of his marriage with one Nithya and also taking note of the document produced, evidencing such marriage, we are of the view that the grievance of the petitioner cannot be gone into by this Court in this Habeas Corpus Petition. It is made clear that if the petitioner feels aggrieved, she is free to approach the appropriate forum/court.

5. In this view of the matter, the Habeas Corpus Petition is dismissed.

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

JI.

To

1. The Superintendent of Police,
Namakkal District,
Namakkal.

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2. The Inspector of Police,
All women Police Station,
Tiruchengode,
Namakkal District.

+1cc to Mr.N.Manokaran, Advocate Sr 4919
+1cc to Mr.D.Selvaraju, Advocate Sr 4853

MJ (CO)
km/13.2.

HCP No.97 of 2006.

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